

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Southern District of Mississippi on the following

☒ Trademarks or ☐ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 3:16cv375-CWR-FKB	DATE FILED 5/18/2016	U.S. DISTRICT COURT Southern District of Mississippi
PLAINTIFF D.C.B Corporation		DEFENDANT Global Brands, LLC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 1,634,930 Reg. No.	2/12/1991	D.C.B. Corporation
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT Order of Injunction by Consent and Final Judgment; copy attached.
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CLERK Arthur Johnston	(BY) DEPUTY CLERK s/P. McPhail	DATE 9/12/2016
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

D.B.C. CORPORATION

Plaintiff,

V.

GLOBAL BRANDS, LLC

Defendant.

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CIVIL ACTION NO: 3:16-cv-375-CWR-FKB

ORDER OF INJUNCTION BY CONSENT AND FINAL JUDGMENT

This matter comes before the Court upon the Joint Motion of Plaintiff D.B.C. Corporation (“DBC”) and Defendant Global Brands, LLC (“Global Brands”) for an injunction by consent. The Court, having reviewed the Joint Motion and being fully informed in the premises, and being advised that the parties have agreed to the terms of an injunction by consent as set forth herein, has determined that the Motion for Consent Injunction and Final Judgment is due to be and is hereby GRANTED. Specifically, the Court FINDS and ADJUDGES the following:

1. That DBC is a Mississippi corporation which bakes, sells and distributes various lines of rolled wafer cookies lined with chocolate and/or filled with various crème fillings marketed under the names "Pirouline" and "Crème de Pirouline." DBC sells its products through retail and other outlets across the continental United States and Canada, as well as in Mexico, parts of Central and South America, the Middle East, China, Japan, the Philippines, Australia, and other countries or continents around the world;
2. That DBC has been engaged in the sale and/or offering for sale of its products, including the Pirouline products, continuously since the early 1980's. DBC uses and exhibits a

- ii. Global Brands shall within five (5) days of the above donation provide to DBC, in writing, the code date(s) shown on the Waffy Wafer Roll on-hand inventory, and shall provide DBC with a current list of the retailers or other outlets to whom Global Brands sold and/or distributed the Waffy Wafer Roll products in the United States subject to the Settlement Agreement between the parties.
- b. Remove from the Global Brands website or other marketing or promotional materials, all images and descriptions of the Waffy Wafer Roll product containing or referencing the helical or spiral contrasting color stripe design;
- c. Destroy all materials in its possession, custody or control which use or otherwise contain the helical or spiral contrasting color stripe design, including all products, labels, tags, boxes, signs, packages, forms, advertisements, bags, or other materials no later than September 20, 2016.

12. That this case is hereby DISMISSED WITH PREJUDICE as to all parties and with respect to all claims and/or counterclaims. If any party fails to comply with the terms of the settlement agreed to by all parties, any aggrieved party may reopen the case for enforcement of the settlement agreement. The Court specifically retains jurisdiction to enforcement the settlement agreement.

SO ORDERED, this the 9th day of September 2016.


United States District Judge

Agreed:

/s/ Jason E. Fortenberry
Attorney for D.B.C. Corporation

/s/ Lawrence M. Coco, III
Attorney for Global Brands, LLC